AMENDMENTS TO THE DRAWINGS

The attached drawing sheets, including a replacement sheet and an annotated sheet, show changes in Fig. 1. The replacement sheet replaces the original sheet carrying Figure 1. In Figure 1, lines have been redrawn and the reference numbers have been clarified.

Attachments (at the end of this paper): Replacement Sheet

Annotated Sheet Showing Changes

REMARKS

The present communication responds to the Office Action of March 21, 2006, in which the Examiner objected to the drawings and rejected claims 1-10.

In response, the drawing objection has been addressed, claim 1 has been amended and new claims 11-17 have been added.

The rejections are traversed in view of the amendments and because none of the references cited disclose, at least, an injection device comprising a capacitor for powering a drive system of an injection device for performing at least one injection, the capacitor being outside the body during the injection.

Reconsideration is requested.

Objection to the Drawings

In the Office Action, the Examiner objected to the drawings because "the lines are not uniformly thick, well defined and the reference numbers are not plain and legible." The applicants are herewith submitting a replacement drawing sheet with redrawn lines and clearer reference numbers.

Rejection under 35 U.S.C. § 102

Claim 1 has been amended to recite an injection device comprising a capacitor for powering a drive system of an injection device for performing at least one injection, the capacitor being outside the body during the injection. As discussed below, the systems of each patent cited are implanted. Further, the power source for driving the systems is implanted. Thus, none of the cited references disclose, at least, a capacitor that is outside the body during an injection.

Claims 1, 3, 4, 5, 6, 8, 9 and 10 were rejected under 35 U.S.C. § 102(b) as anticipated by US Patent 4,360,019 (Portner et al.). This rejection is traversed for at least the following reasons.

Portner et al. disclose an infusion system for delivering precisely regulated and variable dosages of drugs. The infusion system of Portner et al. is implantable:

> Very generally, the drug delivery system of the invention includes an implantable infusion device comprising a housing for the device which is completely implantable within the body of a patient, a reservoir arranged in said housing for containing a predetermined drug, catheter means for connecting said reservoir with a portion of the body to which the drug is to be delivered, and actuating means operable for casing a flow of a precise dosage of the selected drug from the reservoir through the catheter means to the body portion.

Portner et al., Col. 3, ll. 10-19. The infusion system of Portner et al. includes an implanted power and control system for powering the an actuating means including a solenoid driven miniature pump. *See Abstract, Col. 3, ll. 33-37.* It is further noted that Portner et al. teach an infusion system, not an injection device.

Claims 1 and 2 were rejected under 35 U.S.C. § 102(b) as anticipated by US Patent 6,048,328 (Haller et al.). This rejection is traversed for at least the following reasons.

Haller et al. disclose an implantable medical pump featuring a low power multistable valve. The implantable medical pump includes a system that is implanted:

> As seen, such system 1 comprises a reservoir 2, valve 3, flow sensor 4, electronic controls 10, battery 11, telemetry assembly 12 and outlet catheter 5 ... Surrounding all components of the implantable flow sensor other than the outlet catheter is a hermetic closure 13 as is well known in the art.

Haller et al., Col. 2, ll. 59 – Col. 3, ll. 10. Thus, the battery is implanted.

Claims 1, 7 and 9 were rejected under 35 U.S.C. § 102(b) as anticipated by US Patent 6,264,634 (Yamazaki). This rejection is traversed for at least the following reasons.

Yamazaki discloses an implant-type chemical supply device. The supply device of Yamazaki includes a housing that is implanted in the body:

> Generally, within a housing 100 of the device implanted in a body are disposed a chemical tank 101, a pump unit 102, and control unit 103, and a drive power supply (battery) 104.

Yamazaki, Col. 4, ll. 11-14. Thus, the battery is implanted.

None of the references discloses or teaches an injection device comprising a capacitor for powering the drive system of the injection device for performing at least one injection, wherein the capacitor is outside the body during an injection as recited in claim 1.

The other claims, dependent claims 2-10 and new dependent claims 11-17, depend directly or indirectly from claim 1 and are allowable for the same reasons, further in view of their additional recitations.

Accordingly, the § 102 rejection should be reconsidered and withdrawn.

Conclusion

No new claim fees are generated by this paper, but a petition to extend the time to respond is submitted herewith, and the Office is hereby authorized to charge any fee deficiency associated with this paper or the petition to Deposit Account No. 04-1420.

The application is now in allowable form, and reconsideration and allowance are requested.

Respectfully submitted,

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Date: Sept 21, 2006

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Annotated Drawing

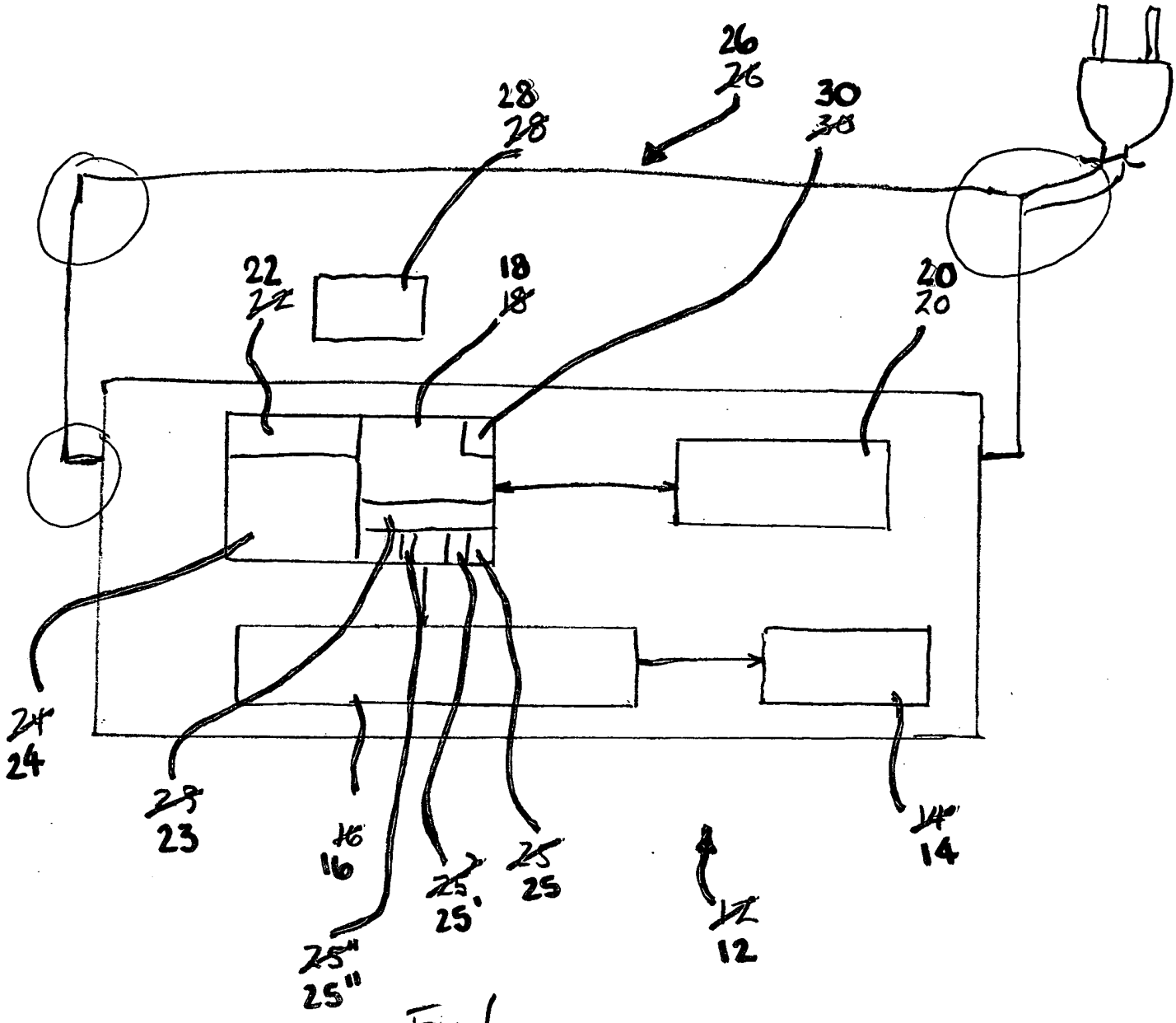

Fig 1